

Members

Rep. Vernon Smith, Chair
Rep. Duane Cheney
Rep. Ralph Ayres
Rep. Ralph Foley
Sen. David Ford
Sen. John Waterman
Sen. Anita Bowser
Sen. William Alexa



CORRECTIONS MATTERS EVALUATION COMMITTEE

LSA Staff:

Mark Goodpaster, Fiscal Analyst for the
Committee
Timothy Tyler, Attorney for the Committee

Authority: 2-5-21-10

**Legislative Services Agency
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MEETING MINUTES¹

Meeting Date: July 27, 2000
Meeting Time: 10:00 A.M.
Meeting Place: State House, 200 W. Washington St.,
Room 401-B
Meeting City: Indianapolis, Indiana
Meeting Number: 1

Members Present: Rep. Vernon Smith, Chair; Rep. Duane Cheney; Rep. Ralph Ayres;
Rep. Ralph Foley; Sen. John Waterman; Sen. Anita Bowser.

Members Absent: Sen. David Ford; Sen. William Alexa.

Representative Smith called the meeting to order at 10:05 a.m.

After introducing members of the committee, Mr. James Mundt, Director of the Office of Fiscal Management Analysis, presented a history of the legislative evaluation process in Indiana.

Overview of the Legislative Oversight and Program Evaluation.

Mr. Mundt presented the committee with the following information.

State legislation, passed in 1979, established the formal process of legislative oversight and program evaluation. The "Sunset" law terminated the agencies under review if the agencies did not receive legislative authorization to continue. The Sunset process provided legislative oversight of executive branch agencies to ensure that the executive branch was carrying out the statute.

Components of the Sunset Law included a specific schedule of agencies or programs to review and termination dates. Legislative Services Agency (LSA) had a full year to study and evaluate the various agencies.

¹ Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

During the interim, a permanent Sunset committee reviewed the reports. The committee could recommend changes for the next legislative session, including whether the state agency being reviewed should continue to exist. The committee could also introduce any other legislative changes that resulted from the committee work.

In 1992 the Legislative Council evaluated the Sunset process. Legislation enacted in 1993 eliminated the termination dates and replaced the list of specific agencies with a general grouping of agencies to be reviewed in a given year.

Under the current structure, the Legislative Evaluation and Oversight Policy Subcommittee, a subcommittee of the Legislative Council, recommends to the Council one or more issues to be studied. Generally, in the summer, the subcommittee surveys legislators to obtain ideas on issues that they wish to have studied. The subcommittee meets in the late summer or early fall. They recommend to the Legislative Council what issues they wish the LSA staff to examine.

The duties of the evaluation committee include the following:

- Reviewing audit reports.
- Taking testimony regarding audit reports and other areas the committee considers related to the committee's work.
- Making recommendations for legislation.
- Making recommendations for administrative changes.

Mr. Mundt also indicated that the committee expires on the earlier of the following dates: December 31 of the second full year after the committee is appointed, or when terminated by the council.

Presentation of Section 1 of the Report: Issues Relating to the Department of Correction:

Mark Goodpaster, Fiscal Analyst and lead staff for the committee presented a summary of the first section of the report to the committee members. The contents of this presentation are included in Appendix A of this chapter.

Committee Requests for Additional Information:

Committee members requested this additional information from staff and the Department of Correction:

- the age distribution of offenders;
- length of stay of offenders and by ethnicity of offenders
- overcrowding of facilities;
- whether the increase in the offender population is related to the enhancement of crimes or due to the number of crimes generally;
- recidivism rates of offenders receiving earned credit time;
- the percentage of offenders receiving all of their potential credit time;
- the changes in Indiana's state population compared with the changes in the offender population;
- ethnicity of the state population compared with the state's correctional population;
- methods used to control the behavior of the prison population; and
- reasons for correctional officers leaving DOC facilities.

Other Issues Discussed:

Members of the committee asked about the arrangements for offenders who are in private

facilities in other states. Staff members of the Department of Correction indicated that in May 31, 2000, 1,000 offenders were placed in private facilities operated by the Corrections Corporation of America. Another 1,122 offenders sentenced to the Department of Correction are currently serving time in county jails as of the same date.

The Corrections Corporation of America receives \$45 per day per offender while county sheriffs receive \$35 per day. The reason for this difference is because the Corrections Corporation of America provides programming for offenders that sheriffs are not required to provide. Concerning the offenders in out of state facilities, DOC has a monitor to examine the facilities on a monthly basis.

Representative Smith suggested that the committee examine whether the Department was not making available programs that potentially improve the lives of inmates such as permitting the practice of eastern religions.

Representative Foley also suggested that the committee examine the effect of overcrowded prisons on the safety of both the officers and the offender population.

Future Meetings:

Chairman Smith set the schedule for the remainder of the interim.

At the next meeting, the committee would examine the section in the report concerning correctional officers.

At the third meeting, community corrections and community transition programs would be examined.

At the fourth meeting, the topic of telephone charges and commissaries would be studied.

At the fifth meeting, the mental health effects of offenders assigned to Supermax and health provisions for inmates would be examined.

At the sixth and final meeting, committee members would vote on proposed legislation. The next meeting is scheduled for Friday August 11, at 10 a.m. At that meeting, the salaries and safety concerns of correctional officers will be examined.

The meeting was adjourned at 11:30 a.m.

Appendix A:

Presentation of Section 1 of Issues Relating to the Department of Correction:

Mark Goodpaster, Fiscal Analyst and Lead Staff for the Committee